

**AGENDA
OCTOBER 6, 2015 - 6:00 P.M.
MEETING OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NORTHPORT
REGULAR MEETING**

OPEN MEETING:

SALUTE TO THE FLAG:

ANNOUNCEMENTS:

PRESENTATIONS: Max Scheader of Troop 410 will make a presentation to the Board regarding Scudder Park.

PUBLIC HEARINGS:

PLEASE TAKE NOTICE: that a Public Hearing of the Village Board of Trustees will be held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 6th day of October, 2015 to consider the following proposed local law:

**LOCAL LAW "E" OF 2015
A LOCAL LAW OF
THE VILLAGE OF NORTHPORT
TO AMEND CHAPTER 239 (Sewers)**

Chapter 239

SEWERS

Section 239-32. Determination and administration of charges.

A. All property owners may apply to the Board of Trustees of the amount of their water usage which is used to calculate the sewer rents due hereunder. Such application shall include all evidence to establish the degree and amount of water usage which is claimed to be applied for any water uses which do not result in discharges into the sewerage system or any reason why the property owner claims that the water usage amount is incorrect. Based upon the preponderance of the evidence presented, the Board may grant an adjustment of the water usage, depending on the volume of water usage it finds is not discharged into the sewerage system. Deadlines for requesting this adjustment shall be determined by the Board of Trustees with written notice by regular mail to all commercial properties and notices posted in Village Hall and on the Village website. The Board may designate other Village officials

to hear the evidence presented and to make recommendations to the Board. The filing of an application for an adjustment does not relieve property owners from the obligation to make timely payment of sewer rents. In the event the Board grants an adjustment and the sewer rent has already been paid, a refund shall be promptly made but in no event more than 90 days from the date the application was made. Interest at the rate of 3% per annum shall be paid on all refunds paid after this deadline

Section 239-32. Determination and administration of charges.

A. All property owners *who install a water meter approved by the Village of Northport* shall be eligible to apply for an adjustment in their sewer rent due hereunder. **The Village of Northport approved water meter shall be used to calculate any reduction to the property owners sewer rent bill. The water meter shall be the exclusive method in which a property owner can establish the degree of and amount of water usage which is not being discharged into the sewer system, thereby be eligible to receive a credit from their the sewer rent bill. Such application shall be the exclusive method to establish any reduction in the sewer rent due hereunder. The type, model and installation of the water meter must be approved by the Village of Northport and the property owner must consent to Village personnel going on their property for the purposes of reading the water meter. If a property owner decides not install a water meter authorized and approved by the Village of Northport the property owners recourse shall be limited to an automatic reduction of ten percent (10%) off their sewer rent bill for water that does not enter the sewer system. Notwithstanding the above, If a property owner does not install a water meter approved by the Village of Northport, but the property owner can establish by a preponderance of the evidence and said evidence is substantiated by the Suffolk County Water Authority that the property owner had a leak causing the property owners water usage to substantially increase because of said leak, and said water usage did not result in discharges to the sewer system then the property owner may apply to the Board for a reduction greater than ten percent (10%).** Deadlines for requesting this adjustment shall be determined by the Board of Trustees with written notice by regular mail to all commercial properties and notices posted in Village Hall and on the Village website. The Board may designate other Village officials to hear the evidence presented and to make recommendations to the Board. The filing of an application for an adjustment does not relieve property owners from the obligation to make timely payment of sewer rents. In the event the Board grants an adjustment and the sewer rent has already been paid, a refund shall be promptly made but in no event more than 90 days from the date the application was made. Interest at the rate of 3% per annum shall be paid on all refunds paid after this deadline

Effective date of this local law shall take effect upon filing with the Secretary of State.

PUBLIC PARTICIPATION:

BOARD APPROVAL OF WARRANT:

Fiscal Year 2015/2016 General Fund bills in the amount of \$91,458.85

Fiscal Year 2015/2016 Sewer Fund bills in the amount of \$ 14,123.28

Fiscal Year 2015/2016 Capital bills in the amount of \$22,319.89

Fiscal Year 2015/2016 Trust bills in the amount of 1,698.00

COMMISSIONER REPORTS:

CHIEF OF POLICE REPORT:

ADMINISTRATOR'S REPORT:

NEW BUSINESS:

OLD BUSINESS:

CORRESPONDENCE:

1. Letter regarding Scudder Park gardens from Sally B. Lauve.

REQUESTS:

Request from American Legion Post 694 to hold Pearl Harbor Observances December 6, 2015.

RESOLUTIONS:

RESOLUTION 2015 -143 ~ APPROVAL OF THE SEPTEMBER 15, 2015 MINUTES

WHEREAS: Copies of the minutes of the September 15, 2015, meeting were sent to the Board for approval, therefore,

BE IT RESOLVED that said minutes are approved without reading, at this time.

RESOLUTION 2015 -144 ~ APPROVAL OF THE SEPTEMBER 25, 2015 MINUTES

WHEREAS: Copies of the minutes of the September 25, 2015, meeting were sent to the Board for approval, therefore,

BE IT RESOLVED that said minutes are approved without reading, at this time.

RESOLUTION 2014 -145 SET PUBLIC HEARING ON PROPOSED LOCAL LAW "F" OF 2015

PLEASE TAKE NOTICE: that a Public Hearing of the Village Board of Trustees will be held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 20th day of October, to consider the following proposed local law:

Proposed Local Law "F" of the year 2015
Village of Northport, County of Suffolk

A local law authorizing a property tax levy in excess of the limit established in General Municipal Law § 3-c

Section 1. Legislative intent

It is the intent of this local law to allow the Village of Northport to adopt a budget for the fiscal year commencing March 1, 2016 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. Authority

This Local Law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local governments governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent(60%) of said governing body.

Section 3. Tax Levy Override

The Village Board of Trustees of the Village of Northport, County of Suffolk , is hereby authorized to adopt a budget for the fiscal year commencing on March 1, 2016 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, section, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not effect, impair or invalidate the remainder of this local law, but shall be confined in its operation to be clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State

RESOLUTION 2015 –146 LOCAL LAW No. 4 of 2015

WHEREAS: a Public Hearing of the Village Board of Trustees was held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 6th day of October, 2015 to consider the following proposed local law:

**LOCAL LAW No. 4 OF 2015
A LOCAL LAW OF**

**THE VILLAGE OF NORTHPORT
TO AMEND CHAPTER 239 (Sewers)**

RESOLUTION 2014 –147~ SEWER PLANT OPERATOR II

BE IT RESOLVED: Ben Meyburg is hereby promoted to the position of Sewer Plant Operator II effective September 15, 2015 pursuant to the Collective Bargaining Agreement between the Village of Northport and Local 342 Long Island Public Service Employees.

RESOLUTION 2015- 148 ~ INTERMUNICIPAL COOPERATION AGREEMENT WITH THE TOWN OF HUNTINGTON.

BE IT RESOLVED: The Mayor is hereby authorized to sign a Municipal Cooperation Agreement with between the Town of Huntington and the Incorporated Village of Northport to allow for joint provisions of certain highway services.

RESOLUTION 2015- 149 ~ INTERMUNICIPAL COOPERATION AGREEMENT WITH THE VILLAGE OF ASHAROKEN.

BE IT RESOLVED: The Mayor is hereby authorized to sign a Municipal Cooperation Agreement regarding E-Waste with the Village of Asharoken and the Incorporated Village of Northport.

RESOLUTION 2015- 150 ~ APPOINTMENT OF POLICE LIEUTENANT

BE IT RESOLVED: That the Village Board of Trustees hereby authorizes the appointment of Michael Cook to the position of Lieutenant in the Northport Police Department effective immediately and upon such appointment Michael Cook, and

BE IT FURTHER RESOLVED, The Mayor is hereby authorized to sign a memorandum of agreement with the Northport Police Department PBA regarding said appointment.

The next regular meeting of the Board of Trustees will be on Tuesday, October 20, 2015 at 6:00 P.M

A RESOLUTION FOR AN EXECUTIVE SESSION: if necessary, for personnel and/or litigation matters.

Respectfully submitted,

Donna M. Koch

Village Clerk